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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/923,375      | 08/06/2001  | Takayuki Ohkubo      | CU-2613 RJS         | 8926             |

26530 7590 06/07/2007  
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| EXAMINER |
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HUNTSINGER, PETER K

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| ART UNIT | PAPER NUMBER |
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2625

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| MAIL DATE | DELIVERY MODE |
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06/07/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|  |   |   |  |
|--|---|---|--|
| <p align="center"><b>Office Action Summary</b></p> | <p><b>Application No.</b></p> <p>09/923,375</p>   | <p><b>Applicant(s)</b></p> <p>OHKUBO ET AL.</p> |  |
|  | <p><b>Examiner</b></p> <p>Peter K. Huntsinger</p> | <p><b>Art Unit</b></p> <p>2625</p>              |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7-12, 14 and 15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-12, 14 and 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 4/3/07 have been fully considered but they are not persuasive.

Applicant argues on page 5 of the remarks in essence that:

The contrast adjustment is related only to a printed image, and thus the contrast adjustment cannot be applied apart from the printing command.

- a. The privacy protection of Ueda '314 consists of changing the contrast of the image (Fig. 31(b), col. 24, lines 15-24). The printing command consists of printing the prepared image (Fig. 42, col. 26, lines 24-35, selecting "this completes the operation" prints the image). Therefore, the privacy protection is applied apart (before in Fig. 31(b)) from the printing command.

Applicant argues on page 5 of the remarks in essence that:

Ueda '314 does not teach that the contrast adjustment is for privacy protection.

- b. It is inherent that a lower contrast image would inherently provide more privacy protection than a normal contrast image because the image would reduce visibility and prevent others from seeing the image from a distance.

Further, the applicant's specification defines privacy protection as a process for having the images so as to be seen hardly from a third person during setting or printing (pages 31-32, lines 19-24, 1-5). Contrast lowering is stated as a specific

privacy protection process. Therefore, decreasing image contrast inherently results in a privacy protected image.

Applicant argues on page 6 of the remarks in essence that:

Ueda '314 does not teach privacy protection being applied to the displayed image.

c. Ueda '314 discloses privacy protection being applied to the displayed image (Fig. 31(b), col. 24, lines 15-24). The confirmation page (Fig. 39, col. 25, lines 47-53) disclosed by Ueda, displays the image modified with the user's selections before the image is printed. The page will either display a greater or original contrast non-privacy protected image or a lower contrast privacy protected image as chosen by the user when the print size is selected.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 7-12, 14, and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Ueda Patent 6,714,314.

Referring to claims 7 and 8, Ueda discloses a process for privacy protection in an image printing apparatus, wherein the image printing apparatus comprises: an image data inputting means for inputting image data (image data input means 11 of Fig. 1, col. 5, lines 23-28); a command inputting device for inputting a printing command including designation of an image to be output (Fig. 7); a printing means for printing the image to be output (print producing means 14 of Fig. 1, col. 5, lines 23-28); a display device for displaying an image (monitor 412A of Fig. 6, col. 12, lines 14-25); and a processing device for producing a protection processed image for applying a privacy protection process to the image to be output (Fig. 31(b), col. 24, lines 15-24), and a controlling means for displaying either one of the protection processed image and the image to be output on the display device according to the designation by a user is provided (Fig. 39, col. 25, lines 47-53), wherein the process comprises applying a privacy protection to the image to be output at the processing device (Fig. 31(b), col. 24, lines 15-24), the privacy protection being applied apart from the printing command even if the printing command has designation of printing size to be output (Fig. 42, col. 26, lines 24-35, selecting "this completes the operation" prints the image); and displaying either one of the protection processed image and the image to be output on the display device according to the designation by a user (Fig. 39, col. 25, lines 47-53). Ueda discloses a process for setting the contrast of the printed image. A lower contrast would inherently provide privacy protection because the image would reduce visibility and prevent others from seeing the image from a distance. Further, the applicant's specification suggests a contrast lowering process as an option for privacy protection. An image with a greater

or original contrast would be an image printed without privacy protection. The confirmation page (Fig. 39, col. 25, lines 47-53) disclosed by Ueda, displays the image modified with the user's selections before the image is printed. The page will either display a greater or original contrast non-privacy protected image or a lower contrast privacy protected image as chosen by the user when the print size is selected.

Referring to claim 9, Ueda discloses wherein the controlling means executes the selective display of the protection processed image and the image to be output by the display device during the printing operation by the printing means (Fig. 39, col. 25, lines 47-53).

Referring to claim 10, Ueda discloses wherein the controlling means executes the selective display of the protection processed image and the image to be output by the display device during the setting necessary for the printing operation by the user (Fig. 39, col. 25, lines 47-53).

Referring to claims 11 and 12, Ueda discloses wherein the processing device applies at least one selected from the group consisting of an image darkening process, a contrast lowering process, an image minifying process, a binary process of the image, an edge iris process, and an embossing process to the image to be output as the privacy protection process (Fig. 31(b), col. 24, lines 15-24).

Referring to claims 14 and 15, Ueda discloses wherein the controlling means receives a designation from a user for applying any one selected from the group consisting of an image darkening process, a contrast lowering process, an image minifying process, a binary process of the image, an edge iris process, and an

embossing process as the privacy protection process, and produces the protection processed image according to the designated process (Fig. 31(b), col. 24, lines 15-24).

### ***Conclusion***

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Moe Aung can be reached on (571)272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

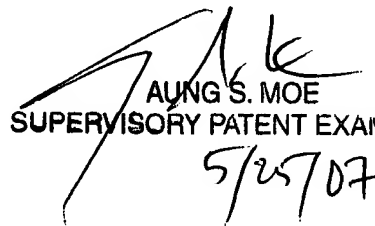
Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

PKH

A handwritten signature in black ink, appearing to be 'PKH' followed by a stylized flourish.

AUNG S. MOE  
SUPERVISORY PATENT EXAMINER

A handwritten signature in black ink, appearing to be 'AUNG S. MOE' followed by a stylized flourish.

5/25/07